

(3) reverse or modify the decision if any substantial right of the petitioner may have been prejudiced because a finding, conclusion, or decision [of the agency]:

- (i) is unconstitutional;
- (ii) exceeds the statutory authority or jurisdiction of the [agency] FINAL DECISION MAKER;
- (iii) results from an unlawful procedure;
- (iv) is affected by any other error of law;
- (v) is unsupported by competent, material, and substantial evidence in light of the entire record as submitted; or
- (vi) is arbitrary or capricious.

[10-216.] 10-223. APPEALS TO COURT OF SPECIAL APPEALS.

(a) This section does not apply to:

(1) a case that arises under [the Maryland Vehicle Law] TITLE 16 OF THE TRANSPORTATION ARTICLE unless a right to appeal to the Court of Special Appeals is specifically provided; or

(2) a final judgment on actions of the Inmate Grievance [Commission] OFFICE.

(b) (1) A party who is aggrieved by a final judgment of a circuit court under this subtitle may appeal to the Court of Special Appeals in the manner that law provides for appeal of civil cases.

(2) AN AGENCY THAT IS AGGRIEVED BY A FINAL JUDGMENT OF THE CIRCUIT COURT MAY APPEAL UNDER PARAGRAPH (1) OF THIS SUBSECTION.

[10-217.] 10-224. LITIGATION EXPENSES FOR SMALL BUSINESSES AND NONPROFIT ORGANIZATIONS.

(a) (1) In this section, the following words have the meanings indicated.

(2) "Business" means a trade, professional activity, or other business that is conducted for profit.

(3) "Nonprofit organization" means an organization that is exempt or eligible for exemption from taxation under § 501(c)(3) of the Internal Revenue Code.

(b) This section applies only to:

- (1) an agency operating statewide;
- (2) a business that, on the date when the contested case or civil action is initiated:
  - (i) is independently owned and operated; and